

REMARKS/ARGUMENTS

Reconsideration of this Application and entry of this Preliminary Amendment are respectfully requested. Claims 1-20 are currently pending in the application. Claims 1, 6, 10, and 15 are amended, each being an independent claim. No claims are added or canceled.

35 U.S.C. §102 Rejections

Claims 1-3, 6-11, 14-17, 19 and 20 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Miller et al. (US Patent 6,464,718). These rejections are respectfully traversed.

Claims 1, 6, 10, and 15 are independent claims, and each recites that a catheter-mountable balloon includes at least one circumferential groove. FIGs. 1 and 8 of the present application illustrate such a balloon 10 in an inflated state with circumferential grooves 15, 20 disposed between an intermediate stent-supporting body 12 and laterally-disposed cones 25, 30 that move radially, by virtue of balloon expansion or deflation. As seen in FIGs. 1 and 8, and as recited in the independent claims, the circumferential grooves 15, 20 are present when the balloon is in an inflated state, and the grooves 15, 20 have a smaller diameter than that of the intermediate body 12, and that of the respective cones 25, 30.

Miller fails to disclose the circumferential groove recited in the independent claims. As seen in FIG. 5 of Miller, a balloon 12 includes a stent-supporting intermediate body. The presence of the stent 22 on the balloon 12 produces a bend on each end of the stent 22. While it is not agreed that the bend constitutes a groove as originally claimed, it is clear that when the balloon 12 is in an inflated state (see FIGs. 6 and 7), there is no bend, groove, or other indented region between the intermediate body and a cone (region at which reference numeral 12 is pointing) that has a smaller diameter than that of the intermediate body or the cone. Because Miller fails to teach or suggest a circumferential groove having the dimensional relationships recited in independent claims 1, 6, 10, and

15, it is submitted that the claims are novel. Consequently, it is respectfully requested that the rejections under 35 U.S.C. § 102(e) be withdrawn.

35 U.S.C. §103 Rejections

Claims 4, 5, 12, 13 and 18 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Miller et al. '718, in view of Solar (US Patent 6,254,608). These rejections are respectfully traversed.

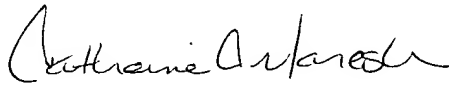
Claims 4, 5, 12, 13, and 18 recite that a circumferential groove is filled with a flexible material, such as a flexible foam. Solar is cited against the claims for disclosing the use of a conforming material such as a foam to secure a stent against a balloon. However, nowhere in Solar is there any disclosure of a circumferential groove that is filled with a flexible or conforming material. The mere reference to the use of a foam as a stent securing feature, without more, would not teach or suggest to a person of ordinary skill in the art that it would be desirable to provide a circumferential groove that is filled with such a foam. Further, Solar fails to compensate for the previously-discussed deficiencies of Miller. For at least these reasons, it is submitted that claims 4, 5, 12, 13, and 18 are patentable in their own right, and it is respectfully requested that the rejections under 35 U.S.C. § 103(a) be withdrawn.

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Conclusion

For the foregoing reasons, Applicant believes all the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at telephone (707) 543-0221.

Respectfully submitted,



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